

CITY OF DELTA, UTAH
PLANNING & ZONING COMMISSION SPECIAL MEETING
DECEMBER 13, 2012

PRESENT

Vance Bishop
Linda Beard
Rand Crafts
Alan Johnson
Steven Pratt
Roger Zeeman

Chairman
Commission Member
Commission Member
Commission Member
Commission Member
Commission Member

ABSENT

Linda Sorensen
Tom Stephenson
Alan Riding

Commission Member
City Council Representative
Code Enforcement Officer

ALSO PRESENT

Karen Johnson
Ken Clark
Todd Anderson
Lea Lawrence

P&Z Secretary
Acting Code Enforcement Officer
City Attorney
Millard County Chronicle/Progress

Chairman Bishop called the meeting to order at 7:00 p.m. He stated that notice of the time, place and agenda of the meeting had been posted at the City Building, on the Utah Public Notice website and Delta City website, and had been provided to the Millard County Chronicle/Progress and to each member of the Planning & Zoning Commission at least two days prior to the meeting.

MINUTES

The proposed minutes of a Planning & Zoning Public Hearing held November 8, 2012 were presented for consideration and approval. Following review, Commission Member Alan Johnson MOVED to approve the minutes of the Planning & Zoning Public Hearing held November 8, 2012, as presented. The motion was SECONDED by Commission Member Linda Beard. Chairman Bishop asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed with Commission Members Linda Beard, Rand Crafts, Alan Johnson, Steven Pratt and Roger Zeeman voting in favor and Commission Members Linda Sorensen and Tom Stephenson being absent.

The proposed minutes of a Planning & Zoning Meeting held November 8, 2012 were presented for consideration and approval. Following review, Commission Member Steven Pratt MOVED to

approve the minutes of the Planning & Zoning Meeting held November 8, 2012, as presented. The motion was SECONDED by Commission Member Rand Crafts. Chairman Bishop asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed with Commission Members Linda Beard, Rand Crafts, Alan Johnson, Steven Pratt and Roger Zeeman voting in favor and Commission Members Linda Sorensen and Tom Stephenson being absent.

The proposed minutes of a Planning & Zoning Special Meeting held November 19, 2012 were presented for consideration and approval. Commission Member Crafts indicated that the word shown as "inaudible" on page 10, line 37, should be "questionable". City Attorney Anderson requested that the title of Alan Riding be corrected to read "Code Enforcement Officer" and the title fo Ken Clark be corrected to read "Acting Code Enforcement Officer." Commission Member Steven Pratt MOVED to approve the minutes of the Planning & Zoning Special Meeting held November 19, 2012, as corrected. The motion was SECONDED by Commission Member Rand Crafts. Chairman Bishop asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed with Commission Members Linda Beard, Rand Crafts, Alan Johnson, Steven Pratt and Roger Zeeman voting in favor and Commission Members Linda Sorensen and Tom Stephenson being absent.

BUSINESS

JAMES DIX, REPTILE RESCUE SERVICE: RENEWAL OF CONDITIONAL USE PERMIT

Chairman Bishop asked Karen Johnson to advise Commission Members of the notes she had made as the result of telephone call this afternoon. Mrs. Johnson stated that, at approximately 5:10 p.m. this evening, she had received a telephone call from Mr. Dix, who was in the Salt Lake City area and would not be back for the meeting this evening. Mr. Dix requested that Planning Commission Members be advised that he plans to close his reptile business in Delta as of December 31, 2012. He indicated it will probably take him until the end of January, 2013 to get everything moved from the premises.

Chairman Bishop stated that, even though Mr. Dix is planning to close his business, it would be appropriate to take formal action to deny the request for renewal of the conditional use permit. The existing conditional use permit will expire December 31, 2012.

Commission Member Rand Crafts MOVED to allow the existing Conditional Use Permit for James Dix, Reptile Jim's Reptile Park, to expire on December 31, 2012 and leave enforcement to the discretion of the Code Enforcement Officer to handle closure of the business within thirty days following expiration of the Conditional Use Permit. Commission Member Steven Pratt requested that we include, in the motion, that Mr. Dix has not been in compliance with the Conditional Use Permit and has not provided information requested for renewal of the Conditional Use Permit, specifically, 1) a letter showing good standing with the Utah Division of Wildlife Resources that the

facility and the keeping of the animals are in compliance with all federal and state requirements, 2) a report from a qualified veterinarian that the animals at the premises are being properly cared for, and 3) any and all applications or documents necessary to maintain or continue licensure of applicant that had been submitted to any government agency since the last issue of the Conditional Use Permit by Delta City. Chairman Bishop asked if Commission Member Crafts wanted to amend his motion. Commission Member Crafts amended his motion that, pursuant to Commissioner Pratt's comments, we deny renewal of the Conditional Use Permit for James Dix and Reptile Jim's Reptile Park and allow the current Conditional Use Permit to expire on December 31, 2012 and that, any follow up activity required will be at the discretion of the Code Enforcement Officer. The motion was SECONDED by Commission Member Roger Zeeman. Chairman Bishop asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed with Commission Members Linda Beard, Rand Crafts, Alan Johnson, Steven Pratt, and Roger Zeeman voting in favor and Commission Members Linda Sorensen and Tom Stephenson being absent.

Commission Member Rand Crafts MOVED that we deny the request for zoning approval required for a Delta City Business License. The motion was SECONDED by Commission Member Alan Johnson. Chairman Bishop asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed with Commission Members Linda Beard, Rand Crafts, Alan Johnson, Steven Pratt and Roger Zeeman voting in favor and Commission Members Linda Sorensen and Tom Stephenson being absent.

Commission Member Steven Pratt MOVED to adjourn the meeting. The motion was SECONDED by Commission Member Rand Crafts. Chairman Bishop asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed with Commission Members Linda Beard, Rand Crafts, Alan Johnson, Steven Pratt, and Roger Zeeman voting in favor and Commission Members Linda Sorensen and Tom Stephenson being absent.

Chairman Bishop declared the meeting adjourned at 7:25 p.m.

VANCE BISHOP, Chairman

Karen Johnson, Planning & Zoning Secretary

MINUTES APPROVED: P&Z 01-10-13